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Customer No. 22,852
Attorney Docket No. 5725.0622

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Arnaud VILBERT

Application No.: 09/582,714

PCT Appl'n No.: PCT/FR99/02585

PCT Filed: October 25, 1999

National Stage Entry: June 30, 2000

For: AEROSOL DEVICE CONTAINING
A CONDENSATION POLYMER
COMPRISING AT LEAST A
POLYURETHANE AND/OR
POLYUREA UNIT

) Group Art Unit: 1619

) Examiner: L. Wells

14

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

05/06/2002 HMARZ11 00000030 09582714

02 FC:148

110.00 DP

TERMINAL DISCLAIMER

Assignee L'Oreal S.A., duly organized under the laws of FRANCE and having its principal place of business at 14, Rue Royale, 75008, Paris, France, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, Application No. 09/582,714, filed October 25, 1999, in the name of Arnaud VILBERT, for AEROSOL DEVICE CONTAINING A CONDENSATION POLYMER COMPRISING AT LEAST A POLYURETHANE AND/OR POLYUREA UNIT by assignment duly recorded in the United States Patent and Trademark Office at Reel 011165, Frame 0231 and is and at all times was the only assignee of both of the

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following applications: Application No.: 09/385,015, filed August 27, 1999, for AEROSOL DEVICE CONTAINING A POLYCONDENSATE COMPRISING AT LEAST ONE POLYURETHANE AND/OR POLYUREA UNIT, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 010375, Frame 0830; and Application No.: 09/385,412, filed August 30, 1999, for AEROSOL DEVICE CONTAINING A POLYCONDENSATE COMPRISING AT LEAST ONE POLYURETHANE AND/OR POLYUREA UNIT, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 010504, Frame 0601.

Assignee L'Oreal hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Application Nos. 09/385,015 and 09/385,412. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration dates of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of either one or both of the prior patents, as presently shortened by any terminal disclaimer, in the event that either one or both of the prior patents later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or in part, or are terminally disclaimed under 37

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C.F.R. § 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.


In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer. If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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Dated: May 3, 2002

By: 
Mark D. Sweet
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